

Rocky Flats Citizens Advisory Board Recommendation 2000-4

to Senator Allard and Representative Udall

Regarding Proposed Rocky Flats Future Land Use Legislation

Approved July 6, 2000

July 7, 2000

Senator Wayne Allard
United States Senate
513 Hart Senate Office Building
Washington, D.C. 20510

Representative Mark Udall
U.S. House of Representatives
128 Cannon House Office Building
Washington, D.C. 20515

Dear Senator Allard and Congressman Udall:

The Rocky Flats Citizens Advisory Board (RFCAB) has reviewed the draft Rocky Flats National Wildlife Refuge Act of 2000 from Senator Allard, and the Rocky Flats Open Space Act presented by Congressman Udall last year. The Board commends both of your efforts to preserve the unique and valuable Rocky Flats area for future generations to enjoy. We have long supported preserving the entire Rocky Flats site upon completion of a safe and thorough cleanup.

The two pieces of draft legislation bring up several issues the Board would like to address:

- RFCAB supports continued federal ownership of and responsibility for the Rocky Flats site. Additionally, the Board supports the language currently in Congressman Udall's draft bill stating that the government shall retain future ownership of Rocky Flats unless Congress provides otherwise.
- Appropriate cleanup levels should be determined through the existing Rocky Flats Cleanup Agreement (RFCA) process. Any legislation needs to clearly state that it cannot be used to dictate a less stringent cleanup at the site than agreed upon under RFCA.

ADMIN RECORD

- Under any final legislation, public involvement in land management decisions must be inclusive and comprehensive. The Rocky Flats stakeholder community is a very educated, dedicated, and diverse group. All views should be included in any land management decisions, as they have been in all cleanup decisions. RFCAB has a strong interest in being a primary participant in the design of a public involvement process and in developing any recommendations.
- The Board would prefer that any privately-held mineral rights at Rocky Flats be acquired by the federal government or other public entity, and that this issue be addressed in any legislation that is introduced. Any costs for acquiring the rights should not be taken from Rocky Flats cleanup funding, but rather should be separately appropriated.
- While some Board members have initial opinions on issues such as allowance for a potential transportation corridor and development of a visitor's center or museum, we approve of the proposed strategy to allow participants in a future broad-based public involvement process to provide recommendations on these issues. Therefore, we are comfortable that the proposed legislation does not dictate how these issues should be resolved.
- In a 1998 recommendation, the Board took a position that the entire site should be preserved as some type of open space. Since we have not yet fully investigated the implications of making Rocky Flats a National Wildlife Refuge, we tend to favor Congressman Udall's approach of leaving this specific decision up to the recommendations produced under the envisioned public involvement process. That being said, both plans do appear to accomplish preservation of the site according to the community's wishes.

The Board sincerely hopes that your offices are willing and able to work together to craft a bipartisan bill that can be introduced in both the Senate and the House of Representatives. As stakeholders at Rocky Flats, we have often been advised that our recommendations are stronger if we "speak with one voice." We believe this would also hold true in Congress.

Please keep us apprised as you move forward with these drafts and your joint efforts. We would be pleased to review and provide our impressions of any revised proposals.

Thank you for the opportunity to provide our comments on the draft legislation. You both have demonstrated your commitment to working closely with the community to protect the precious resources of Rocky Flats, and you have our support.

Sincerely,

Dr. Gerald L. DePoorter
Chair

Cc:

Barbara Mazurowski, DOE-RFFO
Steve Gunderson, CDPHE
Tim Rehder, EPA
Michelle Lawrence, RFCLOG

The Rocky Flats Citizens Advisory Board is a community advisory group that reviews and provides recommendations on cleanup plans for Rocky Flats, a former nuclear weapons plant outside of Denver, Colorado.

[Back to Index of CAB Recommendations](#)

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